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Message Text

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ACTION EA-14

INFO OCT-01 ADP-00 CIAE-00 NSAE-00 NSCE-00 SSO-00 USIE-00

CCO-00 INRE-00 PM-09 H-02 INR-09 L-03 NSC-10 PA-03

RSC-01 PRS-01 SS-14 T-03 AID-20 IGA-02 IO-12 EUR-25

DPW-01 ACDA-19 RSR-01 /150 W
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O 151955 Z MAR 73
FM AMEMBASSY TOKYO
TO SECSTATE WASHDC IMMEDIATE 2386
INFO SECDEF WASHDC IMMEDIATE
COMUSMACV IMMEDIATE
AMEMBASSY SAIGON IMMEDIATE
CINCPAC PRIORITY
CINCUSARPAC PRIORITY
COMUSJAPAN PRIORITY
CGUSARJ PRIORITY

C O N F I D E N T I A L SECTION 1 OF 2 TOKYO 3073

E. O. 11652: GDS
TAGS: MARR JA VS
SUBJ: AMMO BOUND FOR SOUTH VIETNAM

REFS: A. STATE 044815
B. SAIGON 3962
C. TOKYO 2963
D. SAIGON 4136
E. STATE 046944

1. SUMMARY: IN MEETING WITH FONOFF DIRGEN AMERICAN AFFAIRS OKAWARA MARCH 15, DCM PROVIDED TALKING PAPER FOR USE BY GOJ IN PREPARATION FRO RESPONSE TO DIET INTERPELLATIONS ON US SHIPMENT OF AMMUNITION FROM HIRO TO DANANG AND OPPOSITION ALLEGATIONS THAT US VIOLATING CEASEFIRE AGREEMENT. DCM ALSO PROVIDED CERTAIN ADDITIONAL INFORMATION FOR OKAWARA' S BACKGROUND USE ONLY AND NOT FOR USE IN DIET. OKAWARA WAS APPRECIATIVE OF INFORMATION BUT STATED IT WOULD BE PARTICULARLY HELPFUL IF GOJ COULD USE IN
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DIET INFORMATION PROVIDED BY DCM ON CONFIDENTIAL BASIS CONCERNING PROCEDURES ESTABLISHED BY MACV TO INSURE THAT REPLACEMENT SHIPMENTS
ARE NOT IN VIOLATION ARTICLE 7 OF CEASEFIRE AGREEMENT.
OKAWARA ALSO URGED THAT IN FUTURE FONOFF BE INFORMED WHEN SHIP-MENTS OF AMMO OR OTHER POTENTIALLY SENSITIVE MATERIALS BEING SHIPPED FROM JAPAN TO VIETNAM. END SUMMARY.

2. DCM MET WITH FONOFF DIRGEN AMERICAN AFFAIRS OKAWARA MARCH 15 FOR FURTHER DISCUSSION OF CIRCUMSTANCES SURROUNDING US REPLACEMENT
SHIPMENTS TO VIETNAM. DCM READ FOLLOWING TALKING PAPER, PREPARED ON BASIS INFORMATION PROVIDED REFS A, B, D AND E, WHICH HE SAID FONOFF WOULD BE FREE TO DRAW UPON IN PREPARING REPLY TO DIET INTERPRELLATIONS (COPY OF TALKING PAPER GIVEN OKAWARA): BEGIN TEXT: PARA U. S. ARMS SHIPMENTS TO THE GOVERNMENT OF SOUTH VIETNAM SINCE JANUARY 27, 1973, HAVE BEEN CONSISTENT WITH THE PROVISION OF ARTICLE 7 OF THE CEASEFIRE AGREEMENT STIPULATING PERIODIC REPLACE-MENT OF ARMAMENTS, MUNITIONS AND WAR MATERIAL WHICH HAVE BEEN DESTROYED, DAMAGED, WORN OUT OR USED UP AFTER THE CEASEFIRE ON THE BASIS OF PIECE- FOR- PIECE. PARA THE UNITED STATES GOVERNMENT IS, OF COURSE, FULLY AWARE THAT ARTICLE 7 ALSO STIPULATES THAT SUCH REPLACEMENTS ARE TO BE MADE UNDER THE SUPERVISION OF THE JOINT MILITARY COMMISSION (JMC) OF THE TWO SOUTH VIETNAMESE PARTIES AND OF THE INTERNATIONAL COMMISSION OF CONTROL AND SUPERVISION (ICCS).

AS A MATTER OF FACT, HOWEVER, THE TWO SOUTH VIETNAMESE PARTIES HAVE NOT YET CONSTITUTED THIS TWO- PARTY COMMISSION, ALTHOUGH THERE HAVE

BEEN SOME WORKING DISCUSIONS BETWEEN THE TWO SOUTH VIETNAMESE DELEGATIONS TO THE FOUR- PARTY JOINT MILITARY COMMISSION. PARA THE TWO SOUTH VIETNAMESE PARTIES, HOWEVER, HAVE EACH DESIG-NATED THREE INITIAL POINTS OF ENTRY IN ACCORDANCE WITH ARTICLE 7 OF THE PROTOCOL CONCERNING CEASE FIRE, MILITARY COMMISSIONS. THE GOVERNMENT OF VIETNAM (GVN) SIDE HAS DESIGNATED DANANG, SAIGON AND CAM RANH BAY AS SUCH POINTS OF ENTRY. FURTHER, THE ICCS HAS DEPLOYED TEAMS TO THE GVN DESIGNATED POINTS OF ENTRY AT DANANG, SAIGON AND CAM RANH BAY. THE MODALITIES FOR VERIFYING REPLACEMENT OF WAR MATERIALS AND FOR THE OPERATION OF INSPECTION TEAMS, HOWEVER, REMAINS TO BE WORKED OUT BY THE TWO SOUTH VIETNAMESE PARTIES. PARA IT ALSO IS NOTED THAT ARTICLE 12(B) OF THE PROTOCOL CONCERNING CEASEFIRE, MILITARY COMMISSIONS PROVIDES THAT UNTIL SUCH TIME AS THE TWO- PARTY JOINT MILITARY COMMISSION BECOMES OPERATIONAL, " THE TWO SOUTH VIETNAMESE PARTIES' DELEGATIONS TO THE FOUR-

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PARTY JOINT MILITARY COMMISSION AT ALL LEVELS SHALL SIMULTANEOUSLY ASSUME THE TASKS OF THE TWO- PARTY JOINT MILITARY COMMISSION AT ALL LEVELS, IN ADDITION TO THEIR FUNCTIONS AS DELEGATIONS TO THE FOUR- PARTY JOINT MILITARY COMMISSION." PARA US ARMS SHIPMENTS TO THE GOVERNMENT OF SOUTH VIETNAM SINCE JANUARY 27 HAVE BEEN MADE IN RESPONSE TO REQUESTS FROM THAT GOVERNMENT WHICH HAS HAD NO CHOICE BUT TO REPLACE THOSE MUNITIONS EXPENDED IN COUNTERING COMMUNIST VIOLATIONS OF THE CEASEFIRE. IT IS UNFORTUNATE THAT THERE HAS BEEN A DELAY IN CONSTITUTING THE TWO- PARTY JOINT MILITARY COMMISSION, STIPULATED UNDER ARTICLE 7 OF THE CEASE-FIRE AGREEMENT FOR SUPERVISING THE REPLACEMENT OF WAR MATERIALS. THE US GOVERNMENT EARNESTLY HOPES THAT THIS TWO- PARTY JOINT MILITARY COMMISSION WILL BE CONSTITUTED PROMPTLY. PARA UNTIL THE SUPERVISORY MACHINERY IS IN PLACE AND FULLY OPERATIVE, HOWEVER, THE US GOVERNMENT IS TAKING CAREFUL MEASURES TO ENSURE THAT ALL ARMS DELIVERIES TO THE GOVERNMENT OF SOUTH VIETNAM
CONFORM STRICTLY TO THE SPIRIT AND INTENT OF ARTICLE 7 OF THE CEASEFIRE AGREEMENT. PARA IT IS TO BE EMPHASIZED THAT THERE HAVE BEEN NO OBJECTIONS RAISED IN THE FOUR- PARTY JOINT MILITARY COMMISSION OR THE INTERNATIONAL COMMISSION OF CONTROL AND SUPER-VISION TO THE POST- CEASEFIRE REPLACEMENTS OF MUNITIONS WHICH HAVE BEEN MADE BY THE UNITED STATES. END TEXT.

3. IN ADDITION, DCM OFFERED FOLLOWING INFORMATION AND COMMENTS WHICH HE STATED BEING PROVIDED TO FONOFF ON CONFIDENTIAL BASIS AND NOT

FOR USE IN DIET: (A) USG CONSIDERS THAT IN THE FINAL ANALYSIS RESPONSIBILITY FOR JUSTIFYING REPLACEMENT SHIPMENTS UNDER THE PROVISIONS OF ARTICLE 7 RESTS WITH THE GVN UNDER THE CRITERIA AND PROCEDURES TO BE ESTABLISHED BY THE JOINT MILITARY COMMISSION OF THE TWO SOUTH VIETNAMESE PARTIES. (B) MACV, HOWEVER, HAS ESTABLISHED PROCEDURES, WHICH WILL BE CONTINUED BY THE DAO AFTER MACV IS DIS-ESTABLISHED, FOR MONITORING ALL GVN ORDERS FOR WAR MATERIAL AND FOR SCREENING ALL CA
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ACTION EA-14

INFO OCT-01 ADP-00 SSO-00 CCO-00 NSCE-00 USIE-00 INRE-00

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CIAE-00 PM-09 H-02 INR-09 L-03 NSAE-00 NSC-10 PA-03

RSC-01 PRS-01 SS-14 T-03 AID-20 IGA-02 IO-12 EUR-25

DPW-01 ACDA-19 RSR-01 (ADP) W

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O 151955 Z MAR 73
FM AMEMBASSY TOKYO
TO SECSTATE WASHC IMMEDIATE 2387
INFO SECDEF WASHDC IMMEDIATE
COMUSMACV IMMEDIATE
AMEMBASSY SAIGON IMMEDIATE
CINCPAC PRIORITY
CINCUSARPAC PRIORITY
COMUSJAPAN PRIORITY
CGUSARJ PRIORITY

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(D) DCM STATED THAT HE WAS SURE THAT GOJ APPRECIATES THE DIF-
FICULTIES WHICH HAVE BEEN ENCOUNTERED IN GETTING THE JMC/ ICCS
MACHINERY IN PLACE AND OPERATIONAL, AS WELL AS THE CONFUSION
WHICH STILL SURROUNDS THIS SITUATION IN SOUTH VIETNAM. HE
POINTED OUT THAT THIS SITUATION IS LARGELY BEYOND THE CONTROL OF THE
USG. (E) DCM STATED THAT ALTHOUGH USG REMAINS HOPEFUL THAT THE
SITUATION IN VIETNAM WILL STABILIZE AND THE CEASEFIRE AGREEEMENT WILL

PROVE EFFECTIVE, WE MUST RECOGNIZE THAT THIS IS A CRITICAL
PERIOD, IN WHICH NORTH VIETNAM AND THE PRG ARE PROBING GVN
STRENGTH. THE PROSPECTS FOR AN EFFECTIVE CEASEFIRE HINGE IM-
PORTANTLY ON HOW THE GVN MEETS THAT TEST. IF IN THESE CIRCUMSTANCES,
THE US WERE TO DELAY REPLACEMENT SHIPMENTS TO THE GVN UNTIL THE
TWO- PARTY JMC IS CONSTITUTED AND REACHES AGREEMENT ON PROCEDURES
FOR
INSPECTING AND VERIFYING REPLACEMENTS, THE PRG COULD IN EFFECT
BLOCK SUCH REPLACEMENT SIMPLY BY REFUSING TO COME TO AGREEMENT.
THE RESULT WOULD BE TO PLACE THE GVN AT A GRAVE HANDICAP
IN MEETING THE CHALLENGE IT FACES. (F) DCM STATED THAT US APPRECIATES
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THE PROBLEMS WHICH THE GOJ FACES IN THE DIET ON THIS MATTER AND
EXPRESSED THE HOPE THAT THE VARIOUS POINTS IN HIS TALKING PAPER WILL
ASSIST THE GOJ IN MEETING THESE PROBLEMS. HE EMPHASIZED,
HOWEVER, THAT USG ALSO HOPES THAT THE GOJ APPRECIATES THE PROBLEMS
IT FACES IN VIETNAM AND THE SENSITIVE ISSUES AT STAKE AT THIS POINT
IN TIME RELATING TO PROSPECTS FOR AN EFFECTIVE CEASEFIRE IN VIETNAM.
HE STATED THAT HE WAS SURE THAT THE GOJ HAS NO INTENTION OF

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QUESTIONING THE GOOD FAITH OF THE USG IN OBSERVING THE LETTER AND SPIRIT OF THE CEASEFIRE AGREEMENT, AND THAT USG HIGHLY APPRECIATED MR OKAWARA' S ASSURANCE ON THIS POINT GIVEN DURING THEIR CONVERSATION ON MARCH 13 AND OKAWARA' S STATEMENT THAT THE GOJ HAS NO INTENTION OF INTERVENING WITH REGARD TO THE SAILING OF THE " GREEN WAVE" OR ITS DESTINATION (REF C, PARA 3).

4. FINALLY, DCM STATED THAT, SPEAKING UNOFFICIALLY AND PERSONALLY , HE HOPED THAT IN COURSE OF HANDLING THIS PROBLEM GOJ WOULD NOT BE DRAWN INTO A POSITION OR SITUATION WHERE IT FELT IT MUST OFFICIALLY, EITHER IN PUBLIC OR PRIVATE, EXPRESS CONCERN FOR US REPLACEMENTS BEING MADE AT REQUEST OF GVN. TO DO SO, HE EMPHASIZED COULD HAVE UNFORTUNATE REPERCUSSIONS ON US- JAPAN RELATIONS.

5. OKAWARA EXPRESSED APPRECIATION FOR INFORMATION PROVIDED, ALTHOUGH HE COMMENTED THAT INFORMATION SET FORTH IN TALKING PAPER MIGHT NOT COMPLETELY REBUT LINE OF QUESTIONING OPPOSITION LIKELY TO TAKE IN DIET. OKAWARA SAID THAT HE WISHED TO STUDY TALKING PAPER MORE CAREFULLY, BUT HE FELT THAT IT WOULD BE OF PARTICULAR ASSISTANCE TO GOJ IF, IN COURSE OF DIET INTERPELLATIONS, IT COULD DESCRIBE PROCEDURES ESTABLISHED BY MACV (AS SET FORTH IN PARA 3(B) ABOVE) TO INSURE THAT REPLACEMENT SHIPMENTS ARE IN CONFORMITY WITH ARTICLE 7 OF CEASEFIRE AGREEMENT. DCM STATED THAT HE WOULD PASS ON THIS REQUEST TO WASHINGTON AND REQUEST EARLY REPLY.

6. OKAWARA ALSO STATED THAT IT WOULD BE MOST HELPFUL IF, IN FUTURE, EMBASSY WOULD INFORM FONOFF WHEN SHIPMENTS OF AMMO OR OTHER POTENTIALLY POLITICALLY SENSITIVE SHIPMENTS BEING PLANNED FROM JAPAN TO VIETNAM; HE POINTED OUT THAT IN CASE OF AMMO AND HEAVY EQUIPMENT, LOCAL AUTHORITIES ARE ROUTINELY INFORMED BY BASE COMMANDERS. IN RESPONSE TO DCM' S QUERY, OKAWARA STATED THAT HE WOULD LIKE TO NOTE US AGREEMENT TO SUCH PROCEDURE DURING COURSE OF CURRENT DIET DEBATE. DCM STATED THAT, ALTHOUGH HE WOULD REFER OKAWARA ' S REQUEST TO WASHINGTON, HE COULD NOT PERSONALLY RECOMMEND

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FAVORABLE RESPONSE SINCE IN DIET CONTEXT WHICH OKAWARA HAD INDICATED IT WOULD PERMIT INFERENCE THAT GOJ MIGHT IN SOME MANNER BE PASSING ON PROPRIETY OF SUCH SHIPMENTS AND THUS GIVE RISE TO MISUNDERSTANDING AS TO RELATIONSHIP BETWEEN US AND GOJ IN SUCH MATTERS. OKAWARA THEN ASKED WHETHER US MIGHT BE WILLING TO AGREE TO SUCH PROCEDURES SO THAT IN SOME FUTURE SITUATION GOJ MIGHT BE IN POSITION TO SAY PUBLICLY THAT IT HAD

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BEEN INFORMED BY USG THAT SUCH SHIPMENT BEING MADE. DCM SAID THAT WITH UNDERSTANDING THAT FONOFF WOULD NOT REFER IN COURSE OF PRESENT DIET DEBATE TO US WILLINGNESS TO FOLLOW SUCH PROCEDURE, HE WOULD RECOMMEND A FAVORABLE RESPONSE TO THAT REQUEST.

7. ACTION REQUESTED: EMBASSY BELIEVES IT WOULD BE OF ASSISTANCE TO GOJ AND STRENGTHEN CREDIBILITY OF USG POSITION IF GOJ COULD REFER TO PROCEDURES ESTABLISHED BY MACV FOR INSURING REPLACEMENT SHIPMENTS IN CONFORMITY WITH ARTICLE 7 . EMBASSY THEREFORE REQUESTS THAT IT BE AUTHORIZED TO INFORM GOJ WE DO NOT OBJECT TO USE IN DIET OF INFORMATION SET FORTH IN PARA 3(B) ABOVE. EMBASSY ALSO REQUESTS IT BE AUTHORIZED TO STATE TO FONOFF THAT IN FUTURE FONOFF WILL BE INFORMED BY EMBASSY WHEN
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*** Current Handling Restrictions *** n/a
*** Current Classification *** CONFIDENTIAL

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Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: elyme
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973TOKYO03073
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: RR
Errors: CORE6
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From: TOKYO
Handling Restrictions: n/a
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Review Content Flags: ANOMALY
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Review Exemptions: n/a
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Subject: AMMO BOUND FOR SOUTH VIETNAM
TAGS: MARR, JA
To: EA
SECSTATE WASHDC INFO CINCPAC
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Type: TE
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